

APPROVED (as presented Oct 4, 2010)
**REGULAR MEETING OF THE BOARD OF MANAGERS OF THE
MIDDLE- SNAKE-TAMARAC RIVERS WATERSHED DISTRICT
HELD AT 453 NORTH MCKINLEY STREET, WARREN, MN
4:00 P.M. SEPTEMBER 20, 2010**

The meeting was called to order by President Doug Sorenson. Managers John W Nelson, Marvin Hedlund, David Bakke, and Alvin Nybladh were present. Managers Ben Kleinwachter and Roger Hille were not present. Nick Drees, Connie Kujawa, Danny Omdahl, Ron Adrian, Tony Nordby and Wallace Diedrich were also present.

Wallace Diedrich taped the meeting with one recorder.

Motion by Mr. Alvin Nybladh, seconded by Mr. David Bakke that Connie Kujawa be appointed the recording secretary for purposes of keeping the minutes of the meeting. Motion unanimously carried.

Nick Drees requested to amend the agenda with the addition of a permit (10-050) under agenda item #8 Permits (9); and under agenda item #16 Managers (3) Advisory Roundtable Committee report.

Motion by Mr. Marvin Hedlund, seconded by Mr. John W Nelson that the agenda be accepted as amended to include under agenda item #8 Permits (9) permit (10-050) and under agenda item #16 Managers (3) the Advisory Roundtable Committee Report. Motion unanimously carried.

Motion by Mr. David Bakke, seconded by Mr. Marvin Hedlund that the minutes of the September 7, 2010 meeting be approved, as corrected. Motion unanimously carried.

Mr. Ben Kleinwachter joined the meeting at approximately 4:07 p.m.

The financial report was reviewed and filed for audit purposes.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh that the following bills be paid: from the Administrative funds: that payroll checks numbered 5054 through 5067 inclusive for a total of \$16,197.84; and checks numbered 14677 through 14716, including the service charge for a total of \$44,069.92; from the Project funds that checks numbered 1879 through 1897 for a total of \$152,020.17; and from the Ditch Funds that checks numbered 2432 through 2444 for a total of \$33,928.40 be paid. Motion unanimously carried.

There were no individuals present who wished to address the Board during the Open Forum.

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Motion by Mr. John W Nelson, seconded by Mr. Marvin Hedlund that the following permit be amended to include the re-sloping of the north township road ditch:

1. Permit (10-039) to Don Strickler to repair and regrade the coulee slopes; to remove sediment and trees from the coulee; and to clean and reslope the north Township road ditch in the S2 of Section 23 of Angus Township.

Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. John W Nelson that the following permit be issued:

2. Permit (10-043) to Brian Nelson to install a field crossing with an 18" culvert on the South side of MCSAH #27, in the NW NE, of Section 10 of Lincoln Township.

Motion unanimously carried.

Motion by Mr. John W Nelson, seconded by Mr. Alvin Nybladh that the following permit be issued, with the expiration date of the permit to be in 3 years:

3. Permit (10-044) to Cecil Deschene to install field drain tile in the W2 NW, SE NW, SW NE, NW SE of section 33 of Middle River Township.

Motion unanimously carried.

Nate Dalager joined the meeting at approximately 4:28 p.m.

Motion by Mr. Ben Kleinwachter, seconded by Mr. David Bakke that the following permit be issued:

4. Permit (10-045) to Farley Township to remove a 15" centerline culvert and install an 18" culvert in the SW4 of Section 31, of Farley Township.

Motion unanimously carried.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Alvin Nybladh that the following permit be issued:

5. Permit (10-046) to Brislet Township to remove a 24" centerline culvert and to reinstall it approximately 30' to the East, between the SW4 of Section 7 and the NW4 of Section 18 of Brislet Township.

Motion unanimously carried.

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The following permit was approved by the Administrator:

6. Permit (10-047) to Marvin Hedlund to shorten a 24" field culvert and to replace the trap in the S2 NE4 of Section 23 of Higdem Township.

Motion by Mr. John W Nelson, seconded by Mr. David Bakke that the following permit be tabled until a survey is completed, by the District staff, determining the elevation and alignment of the existing culverts:

7. Permit (10-048) of Brent Boen to remove a 24" township road centerline culvert, located approximately 400' west of the section corner in the SE4 of Section 12 and the NE4 of Section 13 of Nelson Park Township.

Motion unanimously carried.

Ron Osowski joined the meeting at approximately 4:38 p.m.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Alvin Nybladh that the following permit be issued:

8. Permit (10-049) to Neil Widner to install 4" field drian tile in a portion of the N2 of Section 26 of Tamarac Township with (2) 8" gravity feed outlets, outletting into Marshall County Ditch #45, Branch 4.

Motion unanimously carried.

The following permit was approved by the Administrator:

9. Permit (10-050) to John W Nelson to remove a 24" field crossing culvert, clean the culvert, if salvageable and if not salvageable to install a 24" culvert, and move the culvert east, from the ditch bottom, in the SW NW of section 5 of Oak Park (Strip) Township.

A letter from Jordan Aakre requesting the District allow hunting on District property was distributed.

A discussion was held concerning the liability issues of allowing hunting on District property; the damage that could occur to the embankments and drainage systems; limiting the number of hunters on the property; and hunting on lands rented from the District.

It was the consensus of the Board that the District will not allow hunting of the District property for the 2010 year, and that a policy regarding hunting on properties owned by the District be developed by March 2011.

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Ron Osowski discussed the ditch cleaning project along the North side of Marshall County Road #19 and stated it appears the culvert would need to be lowered.

After discussion, it was the consensus of the Board that the Engineer for the District size the culverts and establish the grade along Marshall County Road #19, for the next Board meeting, and that Ron Osowski submit a permit to the District for the works being proposed.

Ron Osowski reported that the joint Board formed between North Dakota and Minnesota to address the flooding of the Red River Valley is named the Red River Retention Authority. He also reported that the Army Corps of Engineers state that they will need an additional year to study the Fargo diversion.

Correspondence from the University of Minnesota Water Resources Center concerning the Minnesota Water Resources Conference scheduled for October 19 and October 20, 2010 in St. Paul, Minnesota was distributed.

Nick Drees reported that one data practice request was received from PO Box 131, Warren, Minnesota, and it was available for review along with the District's response.

Nick Drees distributed a cost breakdown of the ground spraying done on the ditches under the jurisdiction of the District. He also stated that the District has not received a bill for the aerial spraying that was done this year.

Nick Drees reported that Rolland Miller is requesting the District clean a portion of Polk County Ditch #7.

Nick Drees was directed to contact affected landowners regarding the cleaning of Polk County Ditch #7.

Ron Osowski left the meeting at approximately 5:35 p.m.

Nick Drees reported that the Houston Engineering will be forwarding the District's Draft Overall Plan to the Minnesota Board of Water and Soil Resources for review.

Nick Drees stated that the District has the easement ready to be signed by the owner of the property along the outlet of the Agassiz Valley Water Resource Management Project (South branch of the Snake River), in Section 2 of McCrea (Strip) Township for the proposed cleaning of the coulee and that the District is waiting on the permit from the Army Corps of Engineers.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that Nick Drees be authorized to sign the Easement with the landowner to clean a portion

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of the outlet of the Agassiz Valley Water Resource Management Project in the NE4, of Section 2 of McCrea (Strip) Township. Motion unanimously carried.

Nate Dalager reported that the various agencies and individuals are in consensus with the project concepts of the Brandt/Angus Impoundment Project; that the bid letting of the project should be in 2010; and that some right-of-way will need to be acquired.

Nick Drees reported on the various construction stages and progress of the farmstead ring dikes under the District's program and those under the NRCS EQIP program.

Nick Drees reported that the Red Lake Watershed District gave a presentation for funding under the Lessard Sans Outdoor Heritage Council for the Project 60, however the project did not qualify for funding.

Nick Drees announced that the Red River Watershed Management Board meeting is scheduled for September 21, 2010, at the Red Lake Watershed District in Thief River Falls, Minnesota.

Nick Drees reported that the Managers lawsuit has been reprimanded back from the Minnesota State Supreme Court to the District Court; that he had nothing to report on the Agassiz Valley Water Resource Management Breach of Contract lawsuit; and that the Managers should have received their depositions regarding the Open Meeting Lawsuit filed by Jim Stengrim and that their errata sheets should be completed and mailed to Steve Anderson.

The Advisory Committee membership will remain as presented.

The resolution adopting the Permit Guidelines will be addressed at the next regular meeting of the Board.

Mr. Doug Sorenson gave a brief report on the Advisory Round Table Committee meeting he attended in St. Cloud. He reported that Advisory Committee was formed consisting of County Commissioners, Soil and Water Conservation Districts and Watershed District's to address water issues and streamline tasks.

Nick Drees reported that the District received a refund from the Northwest Service Center on behalf of the Health Insurance Pool of the District Employee's.

Motion by Mr. Ben Kleinwachter, seconded by Mr. David Bakke that the Health Insurance refund be distributed based on the percentage of the premium paid by the District and the Employees. Motion unanimously carried.

A discussion was held concerning the Red River Modeling project being conducted by the Red River Basin Commission and Charlie Anderson. The Red

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River Basin Commission will provide funding of \$10,000 for costs associated with the modeling and they are requesting the District also expend \$10,000.00 for the study.

Motion by Mr. Ben Kleinwachter, seconded by Mr. Marvin Hedlund that Charlie Anderson prioritize the Red River Basin modeling project and expend the Red River Basin Commission funding, in the amount of \$10,000.00. Motion carried., with Mr. David Bakke declining.

Nate Dalager left the meeting at approximately 7:10 p.m.

Motion by Mr. John W Nelson, seconded by Mr. Ben Kleinwachter that Nick Drees be authorized to sign the DR 1900 Sub-grant agreements with the Federal Emergency Management Agency. Motion unanimously carried.

The next regular meeting's are scheduled for Monday, October 4, 2010, and Monday October 18, 2010, at 4:00 p.m., at the District office.

Motion by Mr. Marvin Hedlund, seconded by Mr. John W Nelson that the meeting be adjourned. Motion unanimously carried.

The meeting was adjourned at approximately 7:13 p.m.

Connie Kujawa
Recording Secretary

Ben Kleinwachter
Secretary